

House Bill 449  
March 17, 2011  
Presented by Dave Risley  
Senate Fish and Game Committee

SENATE FISH AND GAME

EXHIBIT NO. 1

DATE 3/17/11

BILL NO. HB 449

Mr. Chairman and committee members, I am Dave Risley, Fish and Wildlife Division Administrator of Montana Fish, Wildlife & Parks (FWP). I am here to provide testimony in support of House Bill 449.

The illegal introduction of fish is a problem that has cost our agency considerable resources to deal with for many decades. Most of these illegal actions are probably done intentionally to introduce a favored game fish or a forage fish. The "Unauthorized Fish" database that we maintain reveals that the top ten species most frequently introduced include seven sport fish and 3 bait fish species, with northern pike and yellow perch being the most common. These acts can lead to a disruption of the existing aquatic community and a subsequent displacement or extirpation of existing game fish. The perpetrators of these acts are also imposing their desired fish species on all anglers without the input and consent that comes through the normal public process led by our agency. The ability to remove illegally introduced fish is usually very difficult and expensive, and can cost in the tens to hundreds of thousands of dollars to effect removal, if it is even possible. The prevalence of these activities is probably due in part to the common understanding that the chances of being caught are low, as are the consequences. Since 1971, our agency has only been able to apprehend and convict 13 persons for illegally introducing fish. During this same time, our database indicates 260 separate incidents where a fish species has been illegally introduced. This low conviction rate is because our state is large and the chance of detecting someone releasing a fish from a live well or cooler is very low. To our knowledge, of the types of punishment provided in the current law for these acts, only fines and forfeitures have been levied by courts, never the more severe measures. The combination of a low risk of being caught and a small fine is probably little disincentive to performing the act. We therefore expect that the higher fines proposed in this bill, and a higher duration of forfeiture of hunting and fishing privileges better reflects the severity of the problem should be a greater deterrent to this behavior.